The first red scare took place during the 1920s. The red scare was a major issue in New York City at the time, and because of this, two Bronx socialists were suspended and had their assembly seats on the line due to the New York council’s fear of communism affiliation. The suspension of the two Bronx assemblymen in 1920 was constitutional and justifiable.

New York City feared communist radicals sneaking into the country. The origin of this fear happened on May 1, 1919 in the main post office in Manhattan when 16 identically wrapped packages were sent to the main post office in Manhattan, each sent to a political leader. Every package had dangerous amounts of nitroglycerin. The deportation of many people in America happened because of this scare. After this event in New York City, the people grew even more terrified of communism in the states including the New York city council which allowed many things to happen with the members of the assembly.

As a result of the event from May 1st two socialist representatives in the New York City assembly from the Bronx were suspended from their seats as assemblymen. The socialist were put to trial to see if they can take their seats as assemblymen. There was evidence later found proving the two socialists were trying to change the American government and were affiliated with the communist party. The evidence then leaded the socialist party to say that the decision to have a trial was unconstitutional and unfair to the socialist party as a whole. The oath of office of the New York council states that you swear to support and uphold the constitution of the United States, the constitution of the state of New York and the charter of the city of New York. The assemblymen clearly show they violate the oath they have taken to get in assembly due to the evidence found against them. This shows how the decision of the New York city council was constitutional and justifiable.

The trial took a long time for a final decision it started from January 20 to March 11 1920. During this time many assemblymen created different resolutions for the trial though most of them were mentioned not many of the ideas were taken into custody. Some of the ideas created for resolutions were made by republican democratic and socialist representatives. The decision of the trial later concluded to another election to choose what would happen to the socialists Samuel A. Dewitt and Samuel Orr. If these men were to lose the election they would have to resign from assembly and if they win the election the two socialists would be able to take their seats again as assembly representatives of the Bronx. This decision was justifiable and constitutional because of the evidence found on the two Bronx assemblymen which shows how they try to change America’s type of government. Even though the council knew the outcome would be the same as previous votes made. The final decision (outcome of votes) to keep the Bronx socialists in assembly ended up in a vote of 90 to 45. The socialist members had resigned from the assembly because of the lack of votes. The outcome of the trial was major to the decision of the election because of the hostile environment at the time and how communism was so effective in New York City. The very constitutional decision of the New York City council showed how the unconstitutional acts of a governmental party can destroy the whole assembly of New York City